

IN THE TENTH JUDICIAL DISTRICT
DISTRICT COURT OF JOHNSON COUNTY, KANSAS
SITTING AT Olathe Courthouse Olathe, Kansas

MATTHEW ESCALANTE,
Plaintiff,

v.

10TH JUDICIAL DISTRICT
JOHNSON COUNTY COURT

Defendant.

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)
)
)
)

Case No. _____

PETITION
(Pursuant to K.S.A. Chapter 60)

Plaintiff Matthew Escalante, petitions this Court to enforce his right inspect public records pursuant to the Kansas Open Records Act, K.S.A. 45-215 *et seq.* (“KORA”). Plaintiff, a Kansas registered pro se requested access to copy public records maintained by Defendant, Johnson Co Courthouse, relating to Case Record Extended Order 22CV03391 Filed/Stamped with, date 10.18.23. Defendant however, denied Plaintiff’s request in its entirety stating DCC-Records that they could only retrieve records filed in a case.. By denying Plaintiff’s request for copies of Extended Order public records, Defendant has acted in violation of KORA and should be ordered to produce the requested records for inspection and copying.

JURISDICTION AND VENUE

1. This Court has jurisdiction pursuant to K.S.A. 45-222.
2. Venue is proper in this judicial district pursuant to K.S.A. 45-222 and 60-603 because the public records Plaintiff seeks are located in this district, Defendant resides in this district, and Plaintiff's cause of action arose in this district.

PARTIES

3. Plaintiff is a citizen of Johnson Co.KS and he is the defendant of the Case that record at issue in this lawsuit.
4. Defendant Johnson Co. Courthouse is Record Keeper. Defendant is a public agency within the meaning of K.S.A. 45-217 and maintains or possesses the public records at issue in this petition. Defendant maintains its primary place of business at 150 W Santa Fe and is a legal resident of Johnson County, Kansas.

FACTUAL ALLEGATIONS

5. On January 2, 2023 Plaintiff submitted a faxed written request to Defendant, which requested to the Case Record of Extended Order 22CV0339 inside the children's custody case 18-CV03813. A true and correct copy of Plaintiff's request is attached to this Petition as Exhibit 1.
6. Plaintiff's request for access for Extended Order 22CV03391 on October 18. 2023 to records complied with the process the Defendant adopted for obtaining access to or copies of public records.
7. The records Plaintiff requested from Defendant are "public records" within the meaning of K.S.A. 45-217 and 45-218. Plaintiff also entitled to as Defendant of case.

8. On Jan 4, 2024, Defendant responded to Plaintiff's request by stating that it could only authenticate documents that were filed in the case. Exhibit 1, shows once presiding judge filing a record into the case of 18-CV03813. So please let me have a copy of it that is dated 10.18.23. a true and correct copy of Defendant's response is attached to this Petition as Exhibit 2.

9. Plaintiff has placed Defendant issuer of the Extended Order of Protection 10.18.23, when he stated 'let
'The record reflect', into the High Court and he believes there's no issue, ok give me a copy of it.

10. As of the date of this petition, Defendant has refused to give Plaintiff access to case record that Exhibit 1 shows affirmative occurred of Extended Order served on Oct 18, 2023
.

CLAIMS FOR RELIEF

Count I Violation of the Kansas Open Records Act (Denial of Request for Access to [or Copies of] Public Records)

11. The allegations set forth in the foregoing paragraphs are incorporated herein by reference.

12. K.S.A. 45-216(a) states: "It is declared to be the public policy of the state that public records shall be open for inspection by any person unless otherwise provided by this act, and this act shall be liberally construed and applied to promote such policy."

13. K.S.A. 45-218(a) states, in part: "All public records shall be open for inspection by any person, except as otherwise provided by this act, and suitable facilities shall be made available by each public agency for this purpose."

14. K.S.A. 45-219(a) states, in part: "Any person may make abstracts or obtain copies of any public record to which such person has access under this act."

15. KORA does not exempt from disclosure any of the records that Plaintiff requested from Defendant.

16. By denying Plaintiff access to [or copies of] the public records that Plaintiff requested, Defendant has acted contrary to the public policy of the State of Kansas and in violation of K.S.A. 45-216, 45-218 and 45-219.

17. Defendant's denial of Plaintiff's request for access to [or copies of] public records was not in good faith and was without a reasonable basis in fact or law.

Count II
Violation of the Kansas Open Records Act
(Failure to Provide a Written Statement of Grounds for Denial of Request for Access to [or Copies of] Public Records)

18. The allegations set forth in the foregoing paragraphs are incorporated herein by reference.

19. K.S.A. 45-218(d) states, in part: "If the request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requestor not later than the end of the third business day following the date that the request for the statement is received."

20. On [date], Plaintiff delivered to Defendant a request for a statement of Defendant's grounds for denying his/her request for access to [or copies of] public records.

21. Defendant has not provided Plaintiff with a written statement of the grounds for denial, in violation of Plaintiff's rights and Defendant's obligations under K.S.A. 45-218(d).

22. Defendant did not act in good faith, and did not have a reasonable basis in fact or law, when it ignored Plaintiff's request for a statement of Defendant's grounds for denial.

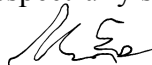
REQUEST FOR RELIEF

WHEREFORE, Plaintiff prays that this Court:

- A. Assume jurisdiction over this action;
- B. Issue a writ of mandamus ordering Defendant to provide Plaintiff with access to case record Of all of the public records that Plaintiff requested;
- C. Issue an order enjoining Defendant from further delaying Plaintiff's access to the requested records;
- D. Award Plaintiff his filing fee for this petition;
- and
- E. Order such other relief as this Court deems just and proper on the Issuer, presiding Judge Paul, Burmaster for any and all judicial law breaches that have occurred.

DATED this the ____ day of February 28, 2024.

Respectfully submitted,



Plaintiff Pro Se Litigant.

Exhibits

[ATTACH EXHIBITS MENTIONED IN PETITION]

Exhibit C

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CIVIL COURT DEPARTMENT

JANELLE ESCALANTE,)	
Petitioner,)	Case No. 18-CV-3813
)	Division 14
vs)	Chapter 60D
MATTHEW ESCALANTE,)	
Respondent.)	

TRANSCRIPT OF HEARING

PROCEEDINGS had before the HONORABLE JUDGE PAUL W. BURMASTER, District Court Judge of Johnson County, Kansas, in connection with the above-captioned matter on the 18th of October, 2023.

APPEARANCES

The Petitioner appeared by and through Counsel Mr. Christopher Wilson, Beam-Ward, Kruse, et al., 6845 Collage Boulevard, Suite 250, Overland Park, Kansas, 66210. Both Respondent and Counsel appeared via Zoom video.

The Respondent appeared in person and by and through Counsel Mr. Edward L. Bigus, 110 South Cherry, Suite 203, Olathe, Kansas, 66061, via Zoom video.

Transcribed by: Carol A. Roberts, CSR
Supreme Court #1051

1 THE COURT: We will be on the record in Case
2 Number 18-CV-3813. Today is October 18th, 2023.

3 Counsels, will you please announce your appearances?

4 MR. CHRISTOPHER WILSON: Please the Court, Your
5 Honor, Petitioner by and through Counsel Chris Wilson.

6 MR. EDWARD BIGUS: If it please the Court,
7 Matthew Escalante appears in person with, uh, Counsel for
8 contempt proceedings, Edward L. Bigus.

9 THE COURT: All right. Please be seated.
10 Pursuant to Supreme Court Rule 1001, parties may not
11 record the hearing without the Court's consent.

12 Violation of that is a matter of contempt.

13 Mr. Wilson, can you tell me what the status is of the
14 child support in this case?

15 MR. CHRISTOPHER WILSON: Yes, Judge and I'll --
16 what I do know is that Mr. Escalante filed a Motion to
17 Modify Child Support back, I believe, in the spring.
18 Maybe early summer.

19 He has not pursued that motion. I understand that
20 the judgment, arrears judgment is near \$30,000. Maybe 28
21 to 30.

22 Um, so that's what I understand at this point.

23 THE COURT: All right. Thank you, Mr. Wilson.

24 All right. We last appeared on August 14th. At that
25 time, Mr. Escalante, you were ordered to conduct three

1 visits with your children at Layne Project.

2 Have you done that?

3 MR. MATTHEW ESCALANTE: Uh, I have had -- just -
4 - uh, started attempting to schedule on August 22nd. Here
5 are these e-mails.

6 And, uh, Layne Project failed to let me do that. Um,
7 that is here from Trina, the Director. And I am reporting
8 employment, officially, starting tomorrow. I have the
9 human resources information here.

10 Since within seven days I'm required to do that. Uh,
11 Bigus -- Mr. Bigus has that.

12 THE COURT: So the answer is no, you didn't go
13 see your children?

14 MR. MATTHEW ESCALANTE: I tried to.

15 THE COURT: Uh-huh. And your motion, you fairly
16 confessed the fact that you violated my order, Mr.
17 Escalante.

18 You say in the -- your Motion to Vacate or Set Aside
19 the Judgment to the Order, long titles on these things.

20 Given on August 14th, supervised parenting time and
21 threat of loss of liberty from the presiding judge PWB
22 pursuant to K.S.A. 50-260 -- this is Document 305 of the
23 record of action.

24 In that, you confess that you were ordered to have at
25 least one visit within 30 days. And that you didn't

1 receive any denial from the Layne Project until September
2 29th, which is well after the 30 days.

3 So why not exercise your first visit in the 30 days?

4 MR. MATTHEW ESCALANTE: September 12th is what
5 can show. So that is inexperience showing in that motion.

6 But, no, um, Layne Project, Trina --

7 THE COURT: So you're saying the Layne Project
8 said they wouldn't take you? Why is that?

9 MR. MATTHEW ESCALANTE: Layne -- uh, the Layne
10 Project had said the \$200 was not mine. They said I
11 walked in there and gave it to them.

12 And I said, well, I never --

13 THE COURT: What -- what -- what \$200?

14 MR. MATTHEW ESCALANTE: The \$200 that you, uh,
15 that was indicated to the Court was on a credit of mine?

16 THE COURT: I was told that you had some money
17 on account --

18 MR. MATTHEW ESCALANTE: Yeah, uh, we -- we were
19 told incorrectly.

20 So she finally tells me that. An attorney walked in
21 and said put this on his account. But they didn't --
22 nobody notified me.

23 And they notified you. But they didn't tell you the
24 circumstances of how that occurred. Uh, that --

25 THE COURT: Ms. -- Ms. -- okay, let's stop.

1 MR. MATTHEW ESCALANTE: Yeah.

2 THE COURT: First of all, you're misstating the
3 facts.

4 Ms. Pennell called over there to see if you had an
5 arrearage or some reason that you couldn't do the visits.
6 And they said you could. And in fact, you had money on
7 account.

8 But whether you had money on account or not was not
9 my order. My order was that you go do the visits.

10 So what does this \$200 have to do with you doing the
11 visits you're not doing?

12 MR. MATTHEW ESCALANTE: She got off
13 communications with me, Trina did. When I asked her about
14 the \$200. I asked very nicely, very pleasantly.

15 Um, I don't know if she felt cornered or trapped, I
16 don't know what happened there. But I know that was not
17 my fault, um --

18 THE COURT: Let -- let me guess. You harassed
19 her about whoever put the \$200 on, she finally got fed up
20 with you.

21 MR. MATTHEW ESCALANTE: There's no e-mails that
22 can support that.

23 THE COURT: Uh-huh. And when did they
24 correspond with you and say that they wouldn't work with
25 you?

1 MR. MATTHEW ESCALANTE: Uh, they just didn't.
2 so I got in Aug -- August 22nd, first attempt where I said
3 please schedule.

4 And I've got a whole series of e-mails, um, where
5 they -- she wouldn't schedule it.

6 THE COURT: Mm-hm. And when was this?

7 MR. MATTHEW ESCALANTE: Uh, this one's dated,
8 uh, September 12th. Uh, was when 30 days was about to
9 expire.

10 THE COURT: And what does it say?

11 MR. MATTHEW ESCALANTE: Uh, I said please
12 schedule this by September 12th. And, uh, and then that's
13 it. She never fulfilled her end of the deal on that. She
14 --

15 THE COURT: So you sent an e-mail saying please
16 schedule by September 12th?

17 MR. MATTHEW ESCALANTE: I called them as well.

18 THE COURT: Mm-hm. And what did they say when
19 you talked to them on the phone?

20 MR. MATTHEW ESCALANTE: She -- let's talk about
21 the \$200. And she's like, we are investigating. Okay,
22 that's great. But --

23 THE COURT: She wanted to talk about the 200?

24 MR. MATTHEW ESCALANTE: Absolutely.

25 THE COURT: I see.

1 MR. MATTHEW ESCALANTE: 'Cause she gave me three
2 different stories.

3 THE COURT: So you offered to pay yourself
4 rather than worry about the \$200?

5 MR. MATTHEW ESCALANTE: I didn't get to that
6 point. I was worried about find -- identifying the day.
7 And then we were going to get the money.

8 But, no, she stopped anything.

9 THE COURT: So if I can arrange with the Layne
10 Project, you'll go over there right now and visit with
11 your children?

12 MR. MATTHEW ESCALANTE: Yeah. I mean if that's
13 good -- well, they've disqualified so that would be
14 between you and -- you and the Layne Project.

15 THE COURT: And if we could send you someplace
16 else, like say, Passage, you'd do that today?

17 MR. MATTHEW ESCALANTE: If that's what the Court
18 felt was necessary, then, yes, it probably would have to
19 be done.

20 THE COURT: Mr. Bigus, do you have these e-
21 mails?

22 MR. EDWARD BIGUS: I, I do not.

23 MR. MATTHEW ESCALANTE: They're docketed, uh --

24 THE COURT: Docketed? What do you mean
25 docketed?

1 MR. MATTHEW ESCALANTE: They're docketed in a
2 higher court. Uh, in an evidence list --

3 MR. EDWARD BIGUS: I have a letter in front of
4 me that Mr. Escalante, uh, sent to Trina Nudson on August
5 22nd, asking her to set up a session for September 12th.

6 THE COURT: Okay.

7 MR. MATTHEW ESCALANTE: Counsel has a copy of
8 more e-mails too.

9 THE COURT: And there's a response from them?

10 MR. EDWARD BIGUS: I, I don't know.

11 MR. MATTHEW ESCALANTE: Nah, uh, Counsel has
12 them in his e-mail that got served a pleading today. He's
13 got a bunch of e-mails that are attached to an exhibit
14 list.

15 THE COURT: Mr. Bigus, do you have --

16 MR. EDWARD BIGUS: Well, you haven't filed this
17 yet.

18 MR. MATTHEW ESCALANTE: Yes, it is.

19 MR. EDWARD BIGUS: How -- how did you file a
20 petition for writ of habeas corpus before you're
21 incarcerated?

22 MR. MATTHEW ESCALANTE: The clerk agreed to
23 docket it.

24 THE COURT: It, it was dismissed, Mr. Bigus.

25 MR. MATTHEW ESCALANTE: No, this is a new one.

1 THE COURT: Oh.

2 MR. EDWARD BIGUS: I guess this was filed today?

3 MR. MATTHEW ESCALANTE: Yes, she had -- the
4 clerk is going to docket at 11:00.

5 THE COURT: The clerk here?

6 MR. MATTHEW ESCALANTE: No, the -- in the
7 federal court.

8 THE COURT: Oh, okay.

9 MR. MATTHEW ESCALANTE: We felt that was fair.

10 THE COURT: Do you have that e-mail, Mr. Bigus?
11 I'm -- I'm hearing there's an e-mail from the Layne
12 Project saying they denied him but I'm not seeing it.

13 MR. EDWARD BIGUS: Um, I, it, it's possible that
14 I have an e-mail at the office. I, I don't -- I don't
15 know. I --

16 MR. MATTHEW ESCALANTE: You do. I guess, I, uh,
17 sent it to you.

18 THE COURT: And does -- is there a reason why
19 they turned him down?

20 MR. MATTHEW ESCALANTE: She did not -- she --

21 MR. EDWARD BIGUS: I, I don't recall seeing such
22 an e-mail.

23 THE COURT: Right.

24 MR. EDWARD BIGUS: And they go across my desk,
25 but --

1 MR. MATTHEW ESCALANTE: She did not give any --

2 MR. EDWARD BIGUS: Some of them have been --

3 MR. MATTHEW ESCALANTE: -- reason.

4 MR. EDWARD BIGUS: -- 20 pages and I frankly
5 haven't read them word-for-word.

6 THE COURT: All right. Apparently when the
7 protection from stalking and related case was served, it
8 didn't have the original final order attached.

9 We are going to serve Mr. Escalante a copy of that
10 now so that he knows he's got a cop -- a copy of it.

11 MR. EDWARD BIGUS: I'm -- I'm sorry, what is
12 this?

13 THE COURT: When the PFS was extended at a
14 previous hearing, he was given the extension. But it
15 didn't have the attached original final order.

16 Mr. Escalante has complained about that. So we're
17 making sure he gets a copy of that.

18 So the record should reflect that he was just served
19 with that today.

20 All right. The reason that the Court sentenced Mr.
21 Escalante to 30 days in jail and gave him the opportunity
22 to purge that is because the Court wanted Mr. Escalante to
23 visit with his children.

24 And he hasn't done that. Over a year ago on June
25 30th, Father was ordered by this Court to exercise a

1 handful of supervised parenting sessions at the Layne
2 Project due to messages he had sent to his children.

3 The Court wanted to make clear that Father was safe
4 to be with the children. Because the messages he sent
5 were clearly inappropriate.

6 Saying that Mom hated him. Saying that the
7 children's voices and names were being used in charges
8 against him, including copies of those charges in texts to
9 the children. A number of inappropriate things.

10 At that time, the Father made clear to the Court that
11 he would take a knee and not see his children until after
12 the first of the year.

13 The Court implored Mr. Escalante to reconsider, to
14 visit his children, to work with the Guardian ad Litem and
15 to reestablish a normal parenting time routine with his
16 children.

17 Since that time, Father has stood flat (sic)
18 steadfastly refused to see his children.

19 The Court has done all it can to encourage Father to
20 see his children. The Court has asked Father. The Court
21 has explained that seeing the children would be in their
22 best interest.

23 The Court has threatened Father with contempt. Which
24 is the purpose of contempt. To -- to coerce correct
25 behavior.

1 And the Court has even sentenced Father to 30 days in
2 jail. All to no avail.

3 Even at no cost to him, Father has refused to visit
4 his children. He has steadfastly refused to see his
5 children and refused to provide all but the tiniest of
6 financial support for them.

7 Instead of seeing or supporting his children, he has
8 focused on harassing Mother, her Counsel, the Court and
9 others with frivolous lawsuits and absolutely false
10 allegations on the internet.

11 The Court has been as patient as it can be with Mr.
12 Escalante. But just seeing there's no further reason -- a
13 just further reason for delay.

14 Parties have been divorced for several years. The
15 Court has made plain that only two issues remain, which is
16 parenting time and child support.

17 The Court will leave the issue of child support to
18 the hearing officer.

19 Regarding parenting time, the Court finds pursuant to
20 K.S.A. 23-3203, that it is in the best interest of the
21 minor children for Mother to have sole decision making
22 custody of the children.

23 This Father has refused to see his children.

24 Further, as Father is actively estranged himself from
25 the children, Father will exercise no time with the

1 children or contact with the children by any means until
2 he contacts the Livingston Counseling Office, begins
3 reintegrated therapy with the children at his expense.

4 And produces a report from the therapist,
5 recommending expanded time with the children.

6 He is directed to contact Livingston Counseling
7 without delay.

8 There -- the Court will consider no motions of any
9 kind by Father until he complies with the Court's order.
10 This is a final order and judgment issued in accordance
11 with K.S.A. 60-254.

12 Parties are advised they may appeal this decision.
13 The Court will file its own journal entry.

14 I'm not going to send you to jail today, Mr.
15 Escalante. Because that was not the point.

16 The point was to get you to try to show some
17 responsibility here, support your children, visit your
18 children, parent your children.

19 I've been as patient as I can with you. I've given
20 you more grace and time than any litigant I've ever had in
21 my courtroom.

22 And you've gone the opposite direction, flailing
23 about, blaming everyone, complaining to everyone, laying
24 this false trail of information that you're being denied
25 parenting time when the opposite is true.

1 The Court has repeatedly urged you and even ordered
2 you to see your children.

3 So I don't see that there's any point in
4 incarcerating you. That wasn't the point in the first
5 place.

6 It was to try to get you to comply. But it's clear
7 that even under the threat of jail, you refused to see
8 your children.

9 So given that, that will be the final order and
10 judgment. But the Court -- the Court will issue its own
11 journal entry.

12 And with that, we'll be adjourned. Thank you.

13 MR. EDWARD BIGUS: Are -- are these, uh,
14 contempt proceedings at end then?

15 THE COURT: They are.

16 MR. MATTHEW ESCALANTE: I, I'm supposed to give
17 written, uh, job notification.

18 [END OF HEARING]

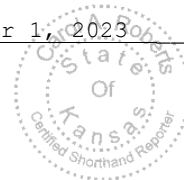
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C E R T I F I C A T E

I, Carol A. Roberts certify that the foregoing transcript of proceedings in the District Court of Johnson County, Kansas, In the Matter of Escalante, Docket No. 18-CV-3813, held on October 18, 2023, was prepared using standard electronic transcription equipment and is a true and accurate record of the proceedings to the best of my knowledge and ability.

Signature Carol A. Roberts, CSR

Date December 1, 2023



IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
Protection from Stalking (K.S.A. 60-31a01 et seq.)

Extension of Protection from Stalking Order for ^{Three} Two Additional Years or up to Life
(K.S.A. 60-31a06(d))

Judge or Division: 14	Case Number: 22CV3391																														
	Court ORI Number:																														
Plaintiff: Janelle Leigh Escalante	Plaintiff Identifiers: Year of Birth <u>1983</u> Sex: <input checked="" type="checkbox"/> F <input type="checkbox"/> M																														
vs.	(Date File Stamp)																														
Defendant: Matthew Aaron Escalante	Defendant Identifiers:																														
Address <u>733 HEMLOCK ST</u> <u>GARDNER, KS 66030</u>	<table border="1"> <tr> <td>SEX</td> <td>RACE</td> <td>YOB</td> <td>HT</td> <td>WT</td> </tr> <tr> <td>M</td> <td>HISPANIC</td> <td>1981</td> <td>5-5.5FT</td> <td>120</td> </tr> <tr> <td>HAIR</td> <td>EYES</td> <td colspan="3">LAST 4 DIGITS OF SSN (IF KNOWN)</td> </tr> <tr> <td>BLACK</td> <td>BROWN</td> <td colspan="3"></td> </tr> <tr> <td colspan="2">DRIVERS LICENSE #</td> <td>DL STATE</td> <td colspan="2">DL EXP. DATE</td> </tr> <tr> <td colspan="2"></td> <td></td> <td colspan="2"></td> </tr> </table>	SEX	RACE	YOB	HT	WT	M	HISPANIC	1981	5-5.5FT	120	HAIR	EYES	LAST 4 DIGITS OF SSN (IF KNOWN)			BLACK	BROWN				DRIVERS LICENSE #		DL STATE	DL EXP. DATE						
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M	HISPANIC	1981	5-5.5FT	120																											
HAIR	EYES	LAST 4 DIGITS OF SSN (IF KNOWN)																													
BLACK	BROWN																														
DRIVERS LICENSE #		DL STATE	DL EXP. DATE																												

Hearing: This matter was set for hearing on 8-10, 20 23 and notice was given to the parties.

Appearances: ☒ Plaintiff ☒ Defendant ☐ Defendant Does Not Appear
☒ Plaintiff's Attorney ☐ Defendant's Attorney ☐ Other _____

The Court Finds: (Only the provision(s) initialed by the judge apply.)

23 The defendant has violated a valid protection order.

_____ The defendant has been convicted of a person felony or a conspiracy, criminal solicitation or attempt thereof, under the laws of Kansas or the laws of another jurisdiction which are substantially similar to such person felony, committed against the plaintiff or a member of the plaintiff's household.

The Court Orders: (Only the provision(s) initialed by the judge apply.)

After review of the file and evidence, the court orders that the attached Final Protection from Stalking Order, entered on 7-28, 20 22, shall be extended:

8-3 until 7-28, 20 26.
_____ for the lifetime of the defendant.

All other terms of the original order shall remain in effect.

*Defendant shall not contact
Plaintiff's counsel except by
mail. Hearings only may be
enrolled.*

This order shall be effective until: 7-28-2026.

ONLY THE COURT CAN CHANGE THIS ORDER.

SO ORDERED:

8-10-2023

Date

[Signature]
Judge of the District Court

07/01/2012

CERTIFICATE OF CLERK OF THE DISTRICT COURT THE
ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT
FILED ON THE 10 DAY OF Aug, 20 23 AND
RECORDED IN THIS COURT, 10th JUDICIAL DISTRICT, JOHNSON
COUNTY, KANSAS
DATED THIS 8 DAY OF Dec, 20 23
BY [Signature] CLERK OF THE DISTRICT COURT

COURT CLERK JOCO, KS
'23 AUG 10 AM 11:17

WARNING TO DEFENDANT

Violation of this order may be a severity level 6 person felony under K.S.A. 21-5924, and amendments thereto.

ATTACH THIS EXTENSION ORDER TO THE ORIGINAL PROTECTION FROM STALKING ORDER.

PRAECIPE/REQUEST FOR SERVICE

To the Sheriff of JOHNSON
County, KS, serve Defendant at:

SERVED IN COURT

Service on Chief Law Enforcement Officer:

CONFIDENTIAL PD

07/01/2012

4 Messages
 **Back** **22CV3391 Decem...**  

From: MATTHEW ESCALANTE <eskie678@aol.com>
Sent: Thursday, January 4, 2024 10:12 AM
To: DCC-Records <DCC-Records@jocogov.org>
Subject: Re: 22CV3391 December fax request follow up - Jan 4, 2024

You don't often get email from eskie678@aol.com. [Learn why this is important](#)

***** This email originated from outside the organization. Use caution when opening attachments, clicking links, or performing any actions requested in this message. *****

 **Transcript of 10-18-2...**  **Done**

 1 of 15

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
CIVIL COURT DEPARTMENT

JANELLE ESCALANTE,)	
Petitioner,)	Case No. 18-CV-3813
)	Division 14
vs)	Chapter 60D
MATTHEW ESCALANTE,)	
Respondent.)	

TRANSCRIPT OF HEARING

PROCEEDINGS had before the HONORABLE JUDGE PAUL W. BURMASTER, District Court Judge of Johnson County, Kansas, in connection with the above-captioned matter on the 18th of October, 2023.

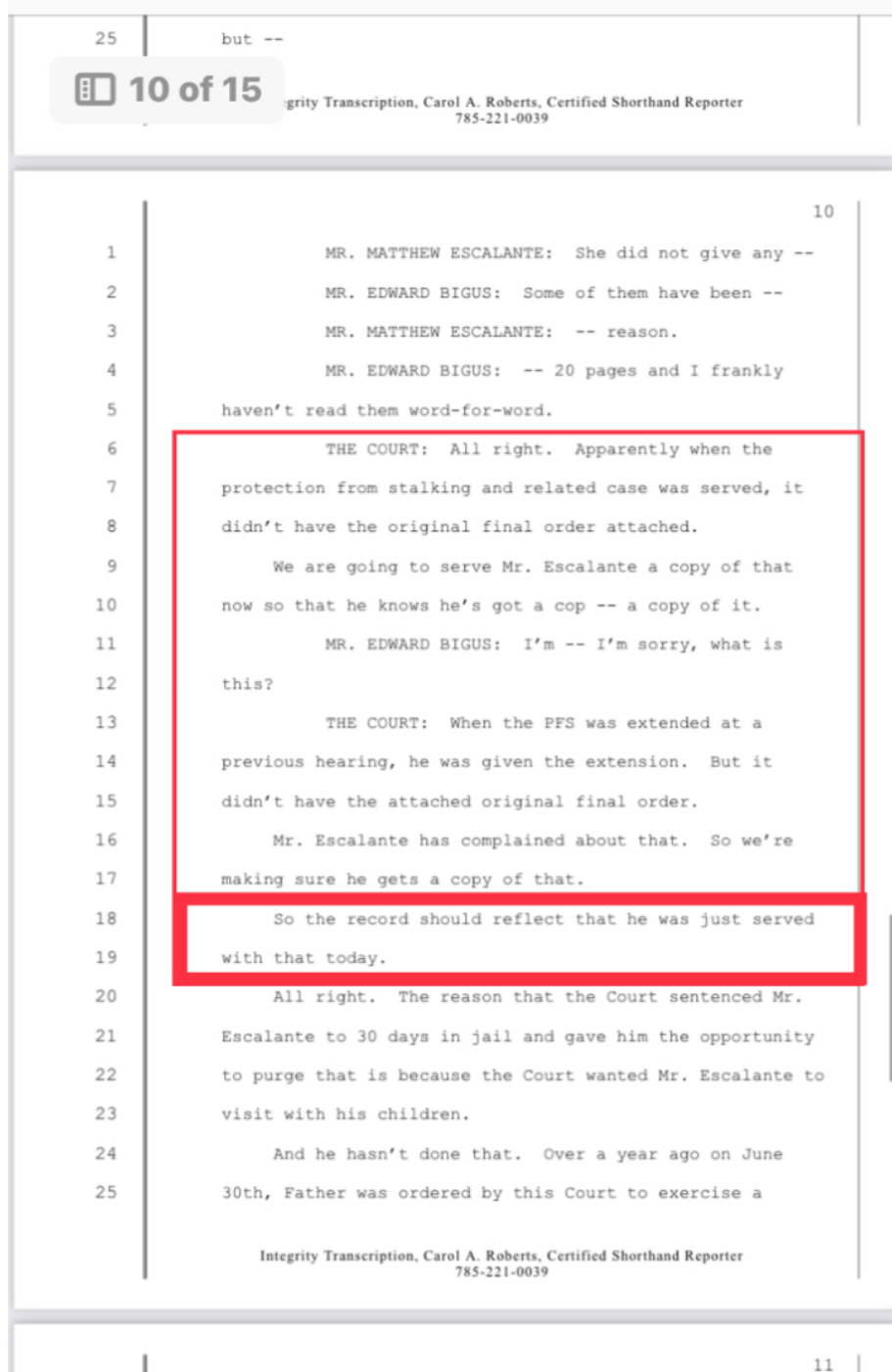
APPEARANCES

The Petitioner appeared by and through Counsel Mr. Christopher Wilson, Beam-Ward, Kruse, et al., 6845 Collage Boulevard, Suite 250, Overland Park, Kansas, 66210. Both Respondent and Counsel appeared via Zoom video.

The Respondent appeared in person and by and through Counsel Mr. Edward L. Bigus, 110 South Cherry, Suite 203, Olathe, Kansas, 66061, via Zoom video.



Re: Judicial Conduct Complaint #3124 - Judg...



That image included is transcript page 10 in case 18CV03813 on October 18, 2023.

As you can see, the thin outlined larger red box of text, shows a court order was given to me in 18CV03813, but it was for case 22 CV03391. But Line 18 and 19 are indicating a case record was created for the



Re: Judicial Conduct Complaint #3124 - Judg...

8:09



4 Messages



Back

22CV3391 Decem...



On Jan 4, 2024, at 9:49 AM, DCC-Records <DCC-Records@jocogov.org> wrote:

I apologize,

I am unsure of what you are asking of us. We are able to certify and authenticate any document that has been filed onto the case that you need.

However, I am unsure of what you are referring to in regards to the 'serve'

Thank you,

Alex Weber

Lead Records Clerk
Johnson County District Courthouse
150 W Santa Fe St
Olathe, KS, 66061
Ph: 913-715-3480

From: MATTHEW ESCALANTE

<eskie678@aol.com>

Sent: Thursday, January 4, 2024 9:31 AM

To: DCC-Records <DCC-Records@jocogov.org>

Subject: Re: 22CV3391 December fax request follow up - Jan 4, 2024

Some people who received this message don't often get email from eskie678@aol.com. [Learn why this is important](#)

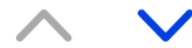
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Re: Judicial Conduct Complaint #3124 - Judg...

[Back](#)

4 Messages



Found in AOL Inbox

From: [DCC-Records](#) >To: [MATTHEW ESCALANTE](#) >
[DCC-Records](#) >

January 4, 2024 at 2:14 PM



RE: 22CV3391 December fax request follow up - Jan 4, 2024

The courts intention would be the phrase "the record should reflect" means that the Court was describing a physical action that is occurring in the courtroom that the audio may not necessarily pick up. In this case, it was that you were handed some paperwork by Ms. Pennell from 22CV3391.

however, like we said earlier we can certify or authenticate any document that has been filed onto the case.

Thank you

[Alex Weber](#)

Lead Records Clerk
Johnson County District Courthouse
150 W Santa Fe St
Olathe, KS, 66061
Ph: 913-715-3480



Re: Judicial Conduct Complaint #3124 - Judg...

8:09



4 Messages
 Back **22CV3391 Decem...**

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Mr Weber,

Happy new year sir.

I sent a prior records request in December for a Court Order served of Doc 26 in Case 22CV03391, except a transcript of 18CV03813, page 10, that accompanied the Records Request, shows this 'serve' occurred in the wrong hearing. Is the Johnson County District Court able to authenticate and certify the 'serve' of 22CV03391 Doc 26 that occurred in the civil custody hearing 18CV03813 on October 18, 2023? A yes or no, is all that is really needed, sorry to put that on your plate, sir. But I do need to know.

Thank you sir

Cordially,

Matthew Escalante

913-286-2250



Re: Judicial Conduct Complaint #3124 - Judg...